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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,337	12/17/2003	Kenro Ohsawa	OOCL-32/CON (2TS-00S0337-	9711
26479	7590	01/23/2007	EXAMINER	
STRAUB & POKOTYLO 620 TINTON AVENUE BLDG. B, 2ND FLOOR TINTON FALLS, NJ 07724			AMINI, JAVID A	
			ART UNIT	PAPER NUMBER
			2628	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/738,337

**Applicant(s)**

OHSAWA, KENRO

**Examiner**

Javid A. Amini

**Art Unit**

2628

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15, 17, 19-21, 23, 27, and 32-37 is/are rejected.
- 7) ☒ Claim(s) 26-28, 38 and 39 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/2006 has been entered.

***Allowable Subject Matter***

Claims 26-28 and 38-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter of claims 26-28: "displaying each pixel with at least four primary colors".

The following is a statement of reasons for the indication of allowable subject matter of claims 38-39: "in light of the specification fig. 22 items 85, 84 and 80, the partial image display means comprises a light-shielding place/an ND filter dimming overlap region of the partial image".

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 17, 19-21, 23, and 32-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higurashi; Masaki, US 6,393,162 B1 (hereinafter refers as "Higurashi"), and further in view of Nakao; Toshiyasu, US 6,330,001 B1 (hereinafter refers as "Nakao").

**Claim 15.**

Higurashi in fig. 1 unit 7 illustrates an image display system comprising: Higurashi at col. 6 lines 43-46 teaches a plurality of partial image display means for displaying partial images to be synthetically displayed as one color image, Higurashi at col. 5 lines 1-2 teaches selecting at least a portion of pixel groups of the overlap regions before the images are connected and synthesized; as claim recites on the basis of partial color image data, wherein each of the partial images is part of a color image, and Higurashi at col. 2 lines 2-11 teaches the partial image data is data of part of an image; quote from col. 2 lines 2-11: calculating a correction coefficient determined in accordance with an average pixel value and a dispersion value; subjecting the overall image which must be connected to one another or images except for a reference image to an exposure process to correct the exposure in accordance with the correction coefficient; and sequentially connecting and synthesizing the images each having the corrected exposure so that a panoramic image connected naturally in a viewpoint of the exposure is formed.

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Higurashi in figs. 9A, 9B shows a process for connecting and synthesizing images photographed such that a subject is divided into a plurality of sections; the claim recites: image data conversion means for converting input color image data into said partial image data.

Higurashi at col. 12 lines 44-50 teaches the converting input color image data into the partial image data, but,

Higurashi does not explicitly specify on the basis of gray scale correction data. However, Nakao at col. 9 lines 33-36 teaches each of the partial images is an image, which is expressed by 256 steps of gray in which larger pixel values express lighter gray, and Nakao at col. 3 lines 33-36 teaches that the one image can be displayed.

Thus, it would have been obvious to a person skill in the art at the time of the invention to combine Nakao into Higurashi, in order to minimize the complexity of color value of the individual pixels in each of the partial color image, and achieving faster color processing for the individual pixels.

Re. claim 17.

The rejection is similar to the rejection of claim 15, however, in claim 17 lines 13-14 recites predetermined set bias on the basis of bias correction data provided according to a position in the one image. Higurashi at col. 9 lines 64-67; and col. 10 lines 1-5 teaches the claim limitation by selecting corresponding points in the comparison region of portions of the overlap portions of the adjacent images, see also fig. 3. Higurashi at col. 16 lines 42-49 teaches the number of gradation levels as the claim recites, "set bias". The motivation is the same as motivation in claim 15.

Re. claim 19.

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Higurashi at col. 16 lines 42-49 teaches the predetermined max level of gradation is 256.

Re. claim 20.

Higurashi at col. 11 lines 40-43 teaches a coefficient-setting portion determines weighting coefficient, which is used to perform addition, which is carried out to smoothly connect the adjacent images. It is obvious for carrying out to have smoothly image display, one need to adjust the values of set bias or gradation levels or coefficient setting. Higurashi at col. 16 lines 13-29 shows different equations to select a reference point. The motivation is the same as motivation in claim 15.

Re. claim 21.

Higurashi does not teach the predetermined set bias is set on the basis of an input color image data. However, Nakao at col. 9 lines 29-32 teaches the claim limitation that is possible for the image position adjustment device to input partial images and information on the positions and attributes of the partial images from an external source, using a communication device etc. The motivation is the same as motivation in claim 15.

Re. claim 23.

Higurashi does not explicitly specify of nonuniformity correction coefficient data that changes in units of pixel positions and Red, Green and Blue primary colors. However, Nakao at col. 9 lines 39-40 teaches the claim limitation that the image position adjustment device can be employed for color images, binary images, it's obvious the color images are contained Red, Green and Blue, as RGB colors. The motivation is the same as motivation in claim 15.

Claims 32, 33 and 34-35.

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The claim recites a spectrophotometer that determines the intensity of various wavelengths; it's well known in the art any type of instrument used to determine the intensity of various wavelengths in a spectrum of light is called spectrophotometer. In claims 33 and 34-35, recite an image sensing apparatus that can be considered as a spectrophotometer. The motivation is the same as motivation in claim 15.

Claims 36, 37.

Higurashi in fig. 1 illustrates clearly a digital camera. Also the second reference Nakao at col. 1 line 16 teaches the images obtained by a digital camera. Re. claim 37, It's obvious that a digital camera measures the intensity of an image.

***Conclusion***

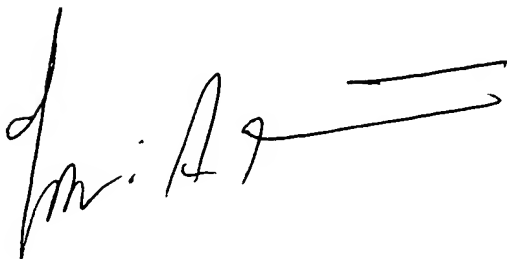
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Javid A Amini  
Examiner  
Art Unit 2628

J.A.

A handwritten signature in black ink, appearing to read 'Javid Amini', with a long horizontal stroke extending to the right.